

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
JUNE 5, 2019**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, June 5, 2019 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER:

Mayor Chan called the meeting to order at 7:02 p.m.

FLAG SALUTE:

The Monterey Park Fire Explorers

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Teresa Real Sebastian

ALSO PRESENT: Acting City Manager Scott Haberle, Assistant City Attorney Karl Berger, Police Chief Jim Smith, Director of Management Services Annie Yaung, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Director of Human Resources and Risk Management Tom Cody, City Librarian Diana Garcia, Assistant City Engineer Frank Lopez, Fire Division Chief Matt Hallock, Senior Management Analyst Hank Lu, Deputy Fire Marshall Chris Gomez.

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Assistant City Attorney Berger clarified that Item No. 2A is not a Public Hearing item.

Council Member Real Sebastian dedicated the meeting to Paul Chen, a long time resident and spouse of former Monterey Park Mayor Lily Chen. The Council requested a moment of silence.

ORAL AND WRITTEN COMMUNICATIONS

- Randall Mikuriya provided a copy of a Notice of Intent to Recall Mayor Chan and Mayor Pro Tem Liang to both the City Clerk and the respective Council Members being sought in the recall. He briefly spoke about the document and the reason behind serving the papers.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

- Jim Smith, Monterey Park Police Chief, informed the Council and public that the Police Department would be participating in the Special Olympic Torch Run on June 6. He mentioned that the torch would be passing by City Hall and everyone is welcome to cheer on the group to show support for a wonderful cause.
- Lisa Marko spoke in support of the recall and expressed her disapproval of the hotel projects.
- Julie Gallegos spoke in support of the recall and echoed the previous speaker's disapproval of the hotel projects.
- Maychelle Yee spoke in support of the recall.
- Evelyn Moreno spoke in favor of the recall and briefly provided the context of the recall petition.
- Paul Isozaki spoke in favor of the recall. He also expressed his lack of support for the senior housing project on Chandler. Speaker Nancy Chiu yielded her time to Mr. Isozaki.
- Margaret Leung, past Planning Commissioner, spoke in favor of the recall. She also conveyed how the Planning Commission voted on the senior housing project on Chandler.
- Sandra Armenta Lopez, representative of Senator Susan Rubio, invited the public to attend a Senior Scam Stopper Seminar on June 7 at the Garvey Community Center.
- Diana Garcia, City Librarian, spoke about the various summer programs provided at the Bruggemeyer Library.
- Nancy Arcuri requested the city to provide the public with information regarding the city's transition into district elections.
- Delario Robinson spoke about his character as an individual. He also stated that affordable housing is needed in the city.

1. PRESENTATION

1A. SISTER CITIES VISIT TO MORELIA, MEXICO

Discussion: City Clerk Chang presented a video presentation on his recent visit to Morelia, Mexico with Mayor Chan.

2. OLD BUSINESS

2A. CONSIDER A ZONE CHANGE (ZC-18-01) TO CREATE A SENIOR-CITIZEN-HOUSING (S-C-H) OVERLAY ZONE, CONDITIONAL USE PERMIT (CU-18-01) FOR AN AFFORDABLE SENIOR HOUSING DEVELOPMENT, AND TENTATIVE MAP NO. 73741 (TM-18-01) TO SUBDIVIDE AIR RIGHTS FOR THE CONSTRUCTION OF A 54-UNIT SENIOR CITIZEN HOUSING CONDOMINIUM PROJECT – 130-206 SOUTH CHANDLER AVENUE.

On April 14, 2019, the City Council held a public hearing to gather evidence regarding the requested Zone Change (ZC-18-01), Conditional Use Permit (CU-18-01), and Tentative Map No. 73741 (TM-18-01). Collectively, these actions would allow construction of a 54-unit senior citizen housing project. After closing the public hearing, the City Council requested that the project be brought back clarifying the number of affordable units in the Initial Study/Mitigated Negative Declaration; provide additional parking spaces; and modify the condition requiring the Bradford Pear tree in the public right-of-way. On May 15, 2019, Staff requested additional time to work with the Applicant to address the comments. Since the meeting, the Initial Study/Mitigate Negative Declaration has been revised; the project will provide 14 additional tandem parking spaces in the subterranean parking level; and the tree species has been revised to a 24-inch box size Chanticleer Pear (*Pyrus Calleryana*). The required number of parking spaces for the proposed project is 67; the applicant would provide 81 spaces.

The City Council staff report dated April 17, 2019 and May 15, 2019; Planning Commission staff report dated February 26, 2019; and the minutes from the February 26, 2019 Planning Commission meeting are attached to the staff report for reference. The Planning Commission found that there was sufficient evidence to support the Zone Change, Conditional Use Permit, and Tentative Map for the proposed project.

CEQA (California Environmental Quality Act)

As required by the California Environmental Quality Act (CEQA), the City prepared an Initial Study to determine what environmental impacts, if any, would be generated by the proposed project, pursuant to CEQA guidelines § 15063. Staff recommends that after consideration of the Initial Study and comments received during the public review period, that the Planning Commission exercise its independent judgment and recommend to the City Council that with the implementation of certain mitigation measures, the proposed Project would not have a significant impact on the environment and therefore a Mitigated Negative Declaration with Mitigation Measures and Mitigation Monitoring and Reporting Plan is recommended.

Public Speakers:

- Tiffany San Juan expressed her disappointment with the developer and the project in her neighborhood.
- Chih T provided and read her written communication where she spoke in favor of the project.
- Maychelle Yee spoke about the developer advertising the sale of the property with entitlements prior to the City Council approval.
- Kenny Gao, owner of project site, stated that he did not authorize any advertisement of the sale of the property. He ensured the Council he would develop the property and would not sell it with entitlements.
- Margaret Leung, resident and former Planning Commissioner, mentioned that project had issues with complying with the Monterey Park Municipal Code in regards to the location of garage gate.

Discussion: Assistant City Attorney Berger clarified that the city sent a letter to residences and property owners within 300 feet of the project site informing them that tonight's item was a public hearing item. Mr. Berger reiterated that the item tonight is not a public hearing item and that the public hearing concluded on April 17, 2019 and no further testimony could be received as part of the administrative process.

The developer and Council ensued in a discussion to clear up the issue of the project possibly being on the market with entitlements prior to the City Council's approval. The developer stated that they did not authorize any advertisement of the sale of the project site and vowed to continue with the development of the site as a senior housing complex.

Recommendation: (1) waiving first reading and introducing and Ordinance approving a Zone Change (ZC-18-01); (2) Adopting a Resolution approving a Tentative Map No. 73741 (TM-18-01) and conditional use permit (CU-18-01); and (3) Take such additional, related, action that may be desirable.

Action Taken: The City Council directed staff to provide a three-story option, re-notice the project as a public hearing item when it is brought back for City Council consideration, keep the 81 parking spaces and eliminate the affordable housing component of the project.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Ing carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Draft Resolution, entitled:

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-18-01) AND TENTATIVE MAP NO. 73741 (TM-18-01) TO SUBDIVIDE AIR RIGHTS FOR A 54-UNIT SENIOR CITIZEN HOUSING CONDOMINIUM DEVELOPMENT AT 130-206 SOUTH CHANDLER AVENUE

Draft Ordinance, entitled:

AN ORDINANCE AMENDING THE ZONING MAP (ZC-18-01) TO CHANGE THE ZONING FROM R-3 TO R-3 (S-C-H) TO ALLOW CONSTRUCTION OF A 54-UNIT SENIOR CITIZEN HOUSING CONDOMINIUM DEVELOPMENT AT 130-206 SOUTH CHANDLER AVENUE

RECESSED AND RECONVENED

The City Council recessed at 9:52 p.m. and reconvened with all council members present at 10:07 p.m.

2B. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO ISSUE A NEW REQUEST FOR PROPOSALS (RFP) FOR TRANSPORTATION SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH A QUALIFIED OPERATOR TO OPERATE THE CITY'S TRANSPORTATION SYSTEM ON A MONTH-TO-MONTH BASIS

At the May 15, 2019 Council meeting, the City Council awarded the operation of the Spirit Bus contract to Transportation Concepts which submitted a qualified proposal with the lowest cost. On May 31, 2019, Transportation Concepts declined to enter into a short-term contract with the City given the possibility of the City's launching a mobility program in the near future.

Discussion: The Director of Public Works McAvoy clarified that there was an error in the City Council recommendation. The same recommendation was listed twice in the staff report.

Action Taken: The City Council approved staff's recommendation based upon the declination of Transportation Concept to enter into a short-term contract with the City, authorized the City Manager to issue a new request for proposals to operate the City's transportation service as amended to also execute a month to month contract with a qualified operator.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3. CONSENT CALENDAR ITEMS NOS. 3A-3E

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

Action Taken: The City Council and the City Council, acting on behalf of the Successor Agency, approved and adopted Items Nos. 3A-3E, reading resolutions and ordinances by the title only and waiving further reading thereof.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Ing motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF JUNE 5, 2019

Disbursements will be made from the funds referenced in the attached Resolution in warrant numbered 378-379.

Action Taken: The City Council acting on behalf of the Successor Agency approved payment of warrants and adopted Resolution No. SA-168 allowing certain claims and demands per warrant register dated June 5, 2019 totaling \$140.61 and specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. SA-168, entitled:

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 5TH OF JUNE 2019 TOTALING \$140.61 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3B. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF JUNE 5, 2019.

Disbursements will be made from the funds referenced in the attached Resolution in warrants numbered 323861-324095 and ACH numbered 000523-000573.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 12084 allowing certain claims and demands per warrant register dated June 5, 2019 totaling \$1,416,612.77 specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 12084, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 5TH OF JUNE 2019 TOTALING \$1,416,612.77 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3C. APPROVE A PUBLIC AWARENESS OUTREACH CAMPAIGN AND ALLOCATE FUNDING FOR THE 2020 CENSUS

Every 10 years, as mandated by the U.S. Constitution, the federal government undertakes a census of the U.S. population to determine the allocation of seats held by each state in the House of Representatives. The next federal census will begin on April 1, 2020.

In addition to determining federal representation, the census is used to distribute federal funding to states and local governments. Federal funding to states is determined based on population counts. Improper accounting of populations or "undercount" may lead to reduced allocation of resources in the years ahead. Program allocations that may be impacted include Community Development Block Grant (CDBG) program, Propositions A, C, M and R which support transportation services and street repairs, as well as funding for school programs and public safety to name a few. It is therefore, critical to do everything possible to avoid any undercounting or other misrepresentation of the City's population.

Action Taken: The City Council approved a public awareness outreach campaign for the 2020 Census and approved the allocation of \$42,000 from the General Fund on Consent Calendar.

3D. CONSIDERATION OF A RESOLUTION APPOINTING A REPRESENTATIVE TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA).

The City of Monterey Park is a member of the Independent Cities Risk Management Authority (ICRMA). This Resolution notifies the ICRMA of the City Council's action to appoint Management Services Director Annie Yaung as an alternative representative and Senior Management Analyst Hank Lu as a substitute alternate representative to the Independent Cities Risk Management Authority

(ICRMA). Director of Human Resources & Risk Management Thomas J. Cody will remain the City's representative to the ICRMA Governing Board.

Action Taken: The City Council adopted Resolution No. 12085 appointing Human Resources Director Thomas J. Cody as the City's representative to the ICRMA Governing Board; appointing Management Services Director Annie Yaung as the alternative representative; and appointing Senior Management Analyst Hank Lu as a substitute alternate representative on Consent Calendar.

Resolution No. 12085, entitled:

A RESOLUTION APPOINTING REPRESENTATIVES TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY ("ICRMA").

3E. 2018-19 VARIOUS STREETS RESURFACING – REJECTION OF ALL BIDS AND AUTHORIZATION TO RE-ADVERTISE.

Upon reviewing the one bid received for the 2018-19 Various Street Resurfacing Project, staff recommends that all bids be rejected due to an insufficient number of bidders.

Action Taken: The City Council rejected all bids received for the 2018-19 Various Streets Resurfacing Project (Bid Spec 2019-001) and authorized staff to re-advertise Bid Specification No. 2019-001.

4. PUBLIC HEARING

4A. THE CITY IS REQUIRED TO CONDUCT A PUBLIC HEARING TO CONSIDER ASSESSMENTS FOR THE CITYWIDE MAINTENANCE DISTRICT NO. 93-1 FOR FY 2019-20 PURSUANT TO STREETS AND HIGHWAYS CODE §§ 22500, ET SEQ.

The City started the process to renew its Citywide Maintenance District No. 93-1 for the 2019-20 fiscal year at its April 17, 2019 meeting. At that time, the City Council approved the engineer's report; adopted the Resolution of Intention and scheduled June 5th for the public hearing.

Action Taken: The City Council opened the public hearing at 10:28 p.m. and there being no documentary and testimonial evidence, closed the public hearing at 10:28 p.m. and adopted Resolution No. 12086 authorizing the Levy and Collection of Assessments for Fiscal Year 2019-20 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code § 22587

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Ing motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12086, entitled:

A RESOLUTION AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2019-20 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587.

5. NEW BUSINESS

- 5A. CONSIDERATION AND POSSIBLE ACTION TO 1) INTRODUCE A REGULAR ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (“MPMC”) §§ 4.20.060 AND 4.30.180 GOVERNING FINES AND THE URGENCY ABATEMENT OF PUBLIC NUISANCES TO RECOVER COSTS INCURRED RESULTING FROM DISPOSAL OF ILLEGAL FIREWORKS AND ADDING A NEW § 4.20.200 FOR HARDSHIP WAIVERS AS REQUIRED BY CALIFORNIA LAW; 2) ADOPT AN URGENCY ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (“MPMC”) §§ 4.20.060 AND 4.30.180 GOVERNING FINES AND THE URGENCY ABATEMENT OF PUBLIC NUISANCES TO RECOVER COSTS INCURRED RESULTING FROM DISPOSAL OF ILLEGAL FIREWORKS AND ADDING A NEW § 4.20.200 FOR HARDSHIP WAIVERS AS REQUIRED BY CALIFORNIA LAW; MPMC; AND 3) ADOPT A RESOLUTION ADOPTING A FINE SCHEDULE PURSUANT TO MPMC § 4.20.060**

The draft Ordinances (regular and urgency) will amend § 4.20.200 of the MPMC to be consistent with Government Code § 25132 regarding fines for administrative citations related violations of the MPMC.

To help further protect the health and safety of the residents of the City, and to further promote the peace and tranquility of the neighborhoods, the Fire Department is requesting that administrative citation fines related to violations of the Monterey Park Municipal Code concerning fireworks be increased, and to provide for the collection of costs regarding the transportation and destruction of confiscated fireworks.

Additionally, the proposed Ordinance will amend the MPMC regarding increased fines for building and safety code violations, consistent with state law.

Action Taken: The City Council (1) read by title only, waived further reading, and introduced an Ordinance amending the MPMC governing cost recovery and establishing fines related to illegal fireworks and building violations; (2) adopted an Urgency Ordinance No. 2162 amending the MPMC governing cost recovery and establishing fines related to illegal fireworks and building violations; (3) and adopted Resolution No. 12087 adopting a fine schedule pursuant to the MPMC and California law.

Motion: Moved by Mayor Pro Tam Liang and seconded by Council Member Ing, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Ordinance 1st reading, entitled:

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE §§ 4.20.060 AND 4.30.180 GOVERNING FINES AND THE URGENCY ABATEMENT OF PUBLIC NUISANCES TO RECOVER COSTS INCURRED RESULTING FROM DISPOSAL OF ILLEGAL FIREWORKS; AND ADDING A NEW § 4.20.200 FOR HARDSHIP WAIVERS AS REQUIRED BY CALIFORNIA LAW.

Urgency Ordinance No. 2162, entitled:

AN URGENCY ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE §§ 4.20.060 AND 4.30.180 GOVERNING FINES AND THE URGENCY ABATEMENT OF PUBLIC NUISANCES TO RECOVER COSTS INCURRED RESULTING FROM DISPOSAL OF ILLEGAL FIREWORKS; AND ADDING A NEW § 4.20.200 FOR HARDSHIP WAIVERS AS REQUIRED BY CALIFORNIA LAW.

Resolution No. 12087, entitled:

A RESOLUTION ADOPTING A FINE SCHEDULE PURSUANT TO MONTEREY PARK MUNICIPAL CODE § 4.20.060.

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Member Lam has nothing to report.

Council Member Real Sebastian requested an Economics Development update at the next council meeting.

Council Member Ing congratulated all 2019 graduates.

Mayor Pro Tem Liang explained his absence at the last City Council meeting was due to a promise he made to his late father to take his mother to Europe for Mother's Day.

Mayor Chan reminded the public that the Town Hall Meeting is scheduled for June 13, 2019 at Langley Senior Center.

7. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:47 p.m. in memory of Paul Chen, long time resident and spouse of former Monterey Park Mayor Lily Chen.



Vincent D. Chang
City Clerk

Approved on August 7, 2019 at the Regular City Council Meeting